

## **IN THE CLAIMS:**

Please amend the claims as follows:

1. (Currently Amended) An improvement for a harvesting machine assembly having forward and rear sides and left and right sides said improvement comprising:
  - a frame assembly;
  - a first housing member attached to said frame at said left and right sides;
  - first and second attachment brackets attached to said frame at the left and right sides of the machine assembly respectively;
  - a second housing assembled to said machine at the rear of said first housing;
  - third and ~~forth~~ fourth attachment brackets ~~attached~~ attached to the left and right side of said second housing respectively;
  - spacer means inserted between said first and second attachment brackets and said third and ~~forth~~ fourth attachment brackets; and
  - fastener means for fastening said first and second brackets and said third and ~~forth~~ fourth attachment brackets and their respective spacers together whereby a gap of specified dimension is created between said first and second ~~housings~~; housings;
  - a shoe housing attached to said first housing for oscillating motion from the forward side to the rear side, said shoe housing mounted above and forward of said second housing, said mounting position providing a clearance gap between said shoe housing and said second housing sufficient to prevent interference between said shoe housing and said second housing during said oscillating motion of said shoe housing
  - a flap member of flexible material of a greater length than the width of said shoe housing attached to said shoe housing and inserted in the clearance gap between said shoe housing and said second housing, said flap extending substantially along the width of said shoe housing between its left and right sides and wrapping around a portion of the sides of said shoe housing; and
  - attachment means for attaching said flap to said first housing.
2. (Originally Presented) The invention according to claim 1 wherein said spacers are approximately 1/4 inch thick and said fastener means consists of a plurality of bolts extending through said spacers and said first and second brackets and secured by nuts.

3. (Originally Presented) The invention according to claim 2 wherein said second housing comprises a rear axle housing for said machine.

Claims 4-7 (cancel without prejudice)

8. (Currently Amended) The invention according to ~~claim 7~~ claim 1 wherein said flap member is comprised of a rubber sheet and said attachment means comprises a metal strip of the same length as the width of said shoe housing, said strip having a series of holes spaced along its length and a plurality of fastening means inserted in said holes and through said flexible flap member and inserted into the lower surface of said shoe housing.

9. (Currently Amended) The invention according to claim 8 wherein said fastening means are self tapping metal ~~screws~~ screws.